



PATENT
Attorney Docket No.: WCMI-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Thomas N. Chalin
Serial No.: 08/811,848
Filed: March 5, 1997
Entitled: STEERABLE SUSPENSION SYSTEM
Group Art Unit: 3611
Examiner: K. Rice

Michael
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AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the July 17, 1998 Office Action therein, please amend the above-identified application as set forth below.

IN THE SPECIFICATION:

On page 9, line 1, insert --tube-- immediately preceding "112", first occurrence thereof. ✓

On page 9, line 1, insert --tube-- immediately preceding "112", second occurrence thereof.

On page 9, line 3, insert --tube-- immediately preceding "112". ✓

IN THE CLAIMS:

Rewrite Claim 17 in independent form as follows:

A

1 --17. (Amended) [The steerable suspension system according to Claim 16,
2 wherein said device further includes] A steerable suspension system, comprising:
3 a generally tubular axle having opposite ends; and
4 a device attached to each of said axle opposite ends, said device including a
5 king pin housing configured for receipt of a king pin therein, an axle seat
6 complementarily shaped relative to said axle, and a plurality of interconnected
7 plates, said plates being attached to said king pin housing and said axle.--

Amend Claim 16 as follows:

1 --16. (Amended) A steerable suspension system, comprising:
2 a generally tubular axle having opposite ends; and
3 a device attached to each of said axle opposite ends, said device including a
4 king pin housing configured for receipt of a king pin therein, and an axle seat
5 complementarily shaped relative to said axle, said king pin housing and said axle seat
6 being integrally formed.--

REMARKS

Reconsideration of this application, in view of the foregoing amendment and the following remarks, is respectfully requested.

Claims 1-19 were originally presented for consideration in this application. No claims have been added or canceled. Accordingly, Claims 1-19 are currently pending in this application.

The examiner's indication that Claims 10-12 are allowed and that Claims 17-19 contain allowable subject matter is noted with appreciation.

The following rejections and objections were set forth in the Office Action:

1. Claims 13-16 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 4,733,744 to Glaze (Glaze);
2. Claims 1-9 stand rejected under 35 USC §103 as being unpatentable over U.S. Patent No. 4,693,486 to Pierce et al. (Pierce) in view of U.S. Patent No. 1,890,766 to Adams (Adams); and
3. Claims 17-19 are objected to as being dependent upon a rejected base claim.

By the foregoing amendment, the following actions have been taken in response to these rejections and objections:

1. Claim 17 has been rewritten in independent form, thereby obviating the examiner's objections to Claims 17-19; and
2. Claim 16 has been revised to more clearly set forth its patentable distinctions over the prior art subsequently discussed herein and to overcome the 35 USC §102(b) rejection summarized above.

Turning now to the 35 USC §102(b) rejections of Claims 13-16 based on Glaze, the rejections are respectfully traversed. Claims 13 and 16 now recite that applicant's suspension system includes an integrally formed king pin housing and axle seat. This feature of applicant's invention was originally set forth in Claim 13 and is shown and described in the specification.

In contrast, Glaze does not show, describe or suggest a device including an integrally formed king pin housing and axle seat, nor does Glaze disclose attaching such a device to a tubular axle. Instead, Glaze discloses a yoke or king pin housing 120, which is attached to an axle tube 22, and a pivotable spring mounting device 252, which is separately attached to the axle with flange members 240, 242. The yoke 120 is separate from the spring mounting device 252 and flange members 240, 242, and is separately attached to the axle 22.

Thus, the yoke 120, spring mounting device 252 and flange members 240, 242 are not included in a single device attached to each end of an axle and are not integrally formed. Therefore, Glaze does not anticipate Claims 13 or 16, and the

examiner is respectfully requested to withdraw the 35 USC §102(b) rejections of Claims 13-16.

Turning now to the 35 USC §103 rejections of Claims 1-9 based on Pierce in view of Adams, Claim 1 recites that an axle seat is attached to a generally tubular axle, and that the axle seat is integrally formed with a king pin housing. The examiner has cited Pierce for a disclosure of an axle seat attached to a tubular axle, and Adams for a king pin housing, and stated that, "It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a king pin mounting on the axle in the suspension of Pierce et al as taught by Adams in order to provide a mounting for a steerable wheel" These rejections of Claims 1-9 are respectfully traversed, however, for the reasons that the examiner has not made out a prima facie case of obviousness, the invention is not rendered obvious by the combined teachings of Pierce and Adams, and the combination proposed by the examiner would not reach all the limitations of the claims.

For a proposed reference combination to be validly made, there must be some suggestion in the art itself to make the combination and arrive at the claimed invention. Absent this requisite suggestion, the only basis for making the combination is impermissible hindsight reasoning using applicant's disclosure as a "blueprint" or a "parts list" to go out and find all of the recited claim elements piecemeal in multiple references. This uses applicant's disclosure as a teaching against his own claims. Nowhere in the references cited by the examiner is it disclosed or suggested to modify Pierce to include a king pin housing as taught by Adams. Thus, the examiner has failed to establish prima facie obviousness of Claims 1-9.

Additionally, axle seats and tubular axles have been widely known in the art for many decades. The Adams reference issued in 1932. Thus, although various component parts needed to construct the present invention have been available to those skilled in the art for many decades, and the problem of efficient manufacture, inventory, weight reduction, etc. in suspension systems have been known to those skilled in the art for even longer, only the present applicant has conceived of producing an integrally formed king pin housing and axle seat, and attaching one such device at each end of a tubular axle. Therefore, the present invention solves a

long felt, but unsolved, problem in the suspension art and is not rendered obvious by the teachings of Pierce and Adams.

Furthermore, even if the teachings of Pierce and Adams are combined, all of the limitations of Claim 1 are not met. For example, Claim 1 recites that a device is attached at either end of a tubular axle, the device including a king pin housing and an axle seat. Both Pierce and Adams teach separate mounting of axle seats to axles. Neither one of the references teaches combining an axle seat with any other component in a device attached at an end of an axle. As another example, neither Pierce nor Adams teach integrally forming a king pin housing and axle seat. Thus, combining the teachings of Pierce and Adams does not produce the invention recited in Claim 1.

It is, therefore, respectfully submitted that Claim 1 is not obvious over Pierce in view of Adams and the examiner is respectfully requested to withdraw the 35 USC §103 rejections of Claims 1-9.

In view of the foregoing amendment and remarks, all of the claims now pending in this application are now seen to be in a condition for allowance. A Notice of Allowance of Claims 1-19 is therefore earnestly solicited.

The examiner is hereby requested to telephone the undersigned attorney of record at (972) 516-0030 if such would further or expedite the prosecution of the instant application.

Respectfully submitted,

KONNEKER & SMITH, P.C.



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Dated: *Aug. 12, 1998*

on August 12, 1998
Beverly Garrard

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AMENDMENT TRANSMITTAL LETTER

SAU 3611 \$
ATTORNEY DOCKET NO.: WCMI 0005

SERIAL NO.: 08/811,848

AUG 17 1998

FILING DATE: March 5, 1997 INVENTION: STEERABLE SUSPENSION SYSTEM

EXAMINER: K. Rice

GROUP ART UNIT: 3611

ASSISTANT COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on August 12, 1998

By: Beverly G. Howard

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CLAIMS AS AMENDED					SMALL ENTITY	
(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NUMBER OF EXTRA CLAIMS PRESENT	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	19	-	20	0	X \$11 =	\$0
IND. CLAIMS	5	-	4	1	X \$41 =	\$41
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$41

No additional fee is required.

X

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Aug. 12, 1998
Date

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